

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 2450 - SB 2526**

March 27, 2018

**SUMMARY OF BILL:** Adds blood tests as a test that a driver is deemed to have given implied consent to for the purposes of determining the alcohol or drug content, or both, of the operator's blood. Makes further changes to implied consent law regarding blood tests and the administration of such tests. Removes the classification as a Class A misdemeanor for refusing to consent to a breath or blood test for driving under the influence (DUI); makes various other revisions to DUI law regarding breath and blood test.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures – \$33,500/One-Time**

**Increase Local Expenditures – Exceeds \$100,000/One-Time\***

Assumptions:

- Based on the information provided by the Department of Safety (DOS), the proposed legislation will require the DOS to make revisions to four of its DUI consent forms for breath or blood tests, including electronic forms. Based on information provided by the DOS, the Tennessee blood and breath consent advisement design and printing cost in English and Spanish in both paper and electronic format is estimated to be \$33,519.
- The one-time increase in state expenditures to the DOS for the revisions and printing costs of Tennessee blood and breath consent forms is estimated to be \$33,519.
- Any overall impact on the number of implied consent violations is estimated to be not significant.
- Implied consent violations will still be subject to penalties including, but not limited to, suspended or revoked driving privileges, restricted driver license, ignition interlock, incarceration, and various fines and fees. Any impact on the number of licenses suspended or the number of restricted licenses issued is estimated to be not significant.
- Any impact on local revenue related to implied consent or DUI violations is estimated to be not significant.
- Based on the information provided by the Administrative Office of the Courts, any impact to the state court system is estimated to be not significant.
- Local law enforcement agencies will have to make various revisions to consent forms in order to be compliant with this legislation.

**HB 2450 - SB 2526**

- The mandatory one-time increase in local expenditures is reasonably estimated to exceed \$100,000 statewide.

*\*Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/rbp